

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

In re:	Case No.	Chapter
Steven D. Foreman	13-70008-FJS	13
Brian and Lisa Winfield	13-70103-FJS	13
Armee C. Hardy	13-70132-SCS	13
Bruce and Beatrice Wingate	13-70243-FJS	13
Erica A. Linzy	13-70274-SCS	13
Robert J. Richardson	13-70337-FJS	7
Jason and Nicole Karangelen	13-70377-SCS	7
Robert and Linda Dievart	13-70431-SCS	13
Archibald and Teresa McDowell	13-70500-FJS	7
Gary L. Insley	13-70503-SCS	7
Shawn L. Mosley	13-70532-SCS	13
Barry D. Harrell	13-70644-SCS	7
Bernard H. Johnson	13-70826-SCS	13
Robin G. Hodges	13-70967-SCS	13
Shawn J. Daigle	13-71036-FJS	7
Ronald Bishop	13-71169-SCS	13
Larry and Amy Johnston	13-71233-SCS	7
Evelyn Woodard	13-71234-SCS	7
Angela P. Hambright	13-71368-FJS	7
Jimmie and Peggy Reid	13-71370-FJS	7
John N. Newbern	13-71418-SCS	13
Ronald L. Hill	13-71572-SCS	13
Winston D. Nelson	13-71575-SCS	13
Nova P. Jones	13-71624-FJS	7
Selena S. Diggs	13-71746-FJS	13
Dyan B. Martinez	13-71771-FJS	7
Paul and Bonnie Hanrahan	13-71788-SCS	13
Andrew L. Bull	13-71789-FJS	13
Autumn L. Davis	13-71809-FJS	7
Robert L. Barnes	13-71911-FJS	13
Frank A. Guaganti	13-72014-SCS	13
Kimberly Tykot	13-72015-FJS	13

Anne K. Fiorenza, Acting AUST
Cecelia A. Weschler, Esq., VSB No. 28245
Kenneth N. Whitehurst, III, Esq., VSB No. 48919
Office of the United States Trustee
200 Granby Street, Room 625
Norfolk, VA 23510
(757) 441-6012

Paulette Ryans	13-72095-SCS	13
David and Vanessa Barrett	13-72191-FJS	13
Margaret A. Angulo	13-72305-SCS	7
Charlie White and Sarah Burtt- White	13-72375-SCS	7
Eric and Kimberly Moore	13-72498-SCS	7
Michael A. Butts	13-72538-SCS	13
<u>Marcy L. Alvarado</u>	13-72572-FJS	7
Erica A. Linzy	13-72718-SCS	13
Jamel Sr. Johnson	13-72813-FJS	13
Stephen W. Hoots	13-72820-SCS	13
Erica D. Hamberry	13-72927-SCS	7
Valerie King	13-72928-FJS	7
Ronald C. Foreman	13-73063-SCS	13
Jana L. O'Grady	13-73073-FJS	7
Lawrence and Heather Crutchfield	13-73383-FJS	13
Brian and Lisa Winfield	13-73410-SCS	13
Harold Locklear	13-73515-FJS	13
Susan H. Barnes	13-73516-SCS	13
Natalee D. Blount	13-73518-SCS	13
Kenneth L. Huddle	13-73562-SCS	13
Panagiotis A. Dukas	13-73593-SCS	13
Alice Tappe	13-73756-FJS	13
Robert and Linda Dievart	13-74174-SCS	13
Ronnie A. Saunders	13-74175-FJS	13
Frank A. Guagenti	13-74264-SCS	13
John G. Conner	13-74650-FJS	13
Kimberly A. Woodard	14-70221-FJS	13
Valjean Ware	14-70371-FJS	13
Robert T. Cillizza	14-70372-SCS	13
Ashley T. Moore	14-70482-SCS	7
Anita M. Everett	14-70483-FJS	7
Cherika S. Mackey	14-70637-FJS	7
Harold Locklear	14-70681-SCS	13
Jeffrey and Sheila Weeks	14-70682-SCS	13
Isabel J. Escobar	14-70761-FJS	13
Generoso and Carol Franco	14-70762-SCS	7
Donita R. Sergent	14-70799-FJS	7
Dustin E. Bell	14-70800-SCS	7
Suzanne M. Parson-Janrhett	14-70948-FJS	7
Thomas Healy and Katherine McKee-Healy	14-71016-SCS	7

CONSENT ORDER

This matter came before the Court on the motions for sanctions filed against James R. Carpenter, Jr., Esq. by both Chapter 13 Trustee Michael P. Cotter in the case of Steven W. Hoots, and the United States Trustee in each of the above-captioned cases (collectively, the “Motions”). A pretrial conference on the Motions was held on September 9, 2014. At the September 9, 2014 pretrial conference, Mr. Carpenter requested that he be removed from the roll of attorneys authorized to practice before the United States Bankruptcy Court for the Eastern District of Virginia. Based upon the consent of Mr. Carpenter, the agreement of the parties evidenced by the signatures below, and for good cause shown, the Court makes the following findings of fact and conclusions of law:

1. It is Mr. Carpenter’s intention to voluntarily withdraw his membership in the bar of this Court, and to be removed from the roll of attorneys licensed to practice before this Court.
2. Mr. Carpenter has met with Thomas B. Dickenson, Esquire, a member of the bar of this Court, to obtain assistance in representing his clients before this Court.
3. Mr. Dickenson is now counsel of record for many of Mr. Carpenter’s clients.
4. Mr. Carpenter has concluded that he is incapable of continuing to represent clients before this Court, and that his clients would be better served with other counsel.
5. Mr. Carpenter notified the United States Trustee of his decision to seek to withdraw as a member of this Court’s bar on August 21, 2014.
6. Mr. Carpenter is actively assisting his clients to obtain new counsel.

IT IS HEREBY ORDERED that:

- A. James R. Carpenter, Jr. is hereby removed from the roll of attorneys admitted to practice before bar of this Court.
- B. The privilege of James R. Carpenter, Jr. to practice before the United States Bankruptcy Court for the Eastern District of Virginia is hereby terminated.
- C. The privilege of James R. Carpenter, Jr. to file pleadings and documents using this Court’s Case Management / Electronic Case filing System is hereby terminated.

D. James R. Carpenter, Jr. shall make every effort to obtain new counsel for all clients he currently represents before the bar of this Court.

E. Nothing herein shall limit, enlarge or impact any claims, causes of action, or defenses by or between James R. Carpenter, Jr. and any of his clients in cases pending before this Court.

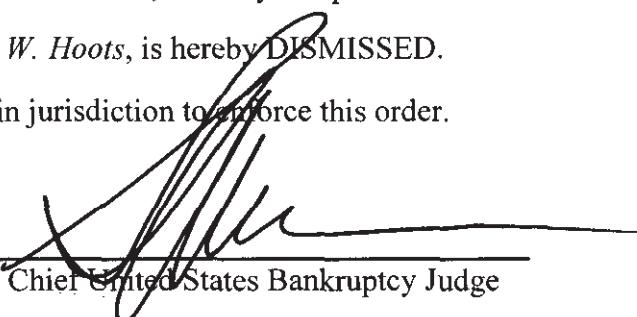
F. The entry of this order shall not be deemed to be a disciplinary ruling by the United States Bankruptcy Court.

G. The Motion for Sanctions Against James R. Carpenter, Jr. Esq., filed by the United States Trustee in each of the above-captioned cases is hereby DISMISSED.

H. The Motion for Sanctions filed on March 17, 2014 by Chapter 13 Trustee Michael P. Cotter against Mr. Carpenter in *In re: Steven W. Hoots*, is hereby DISMISSED.

I. The Bankruptcy Court shall retain jurisdiction to enforce this order.

DATE: 9/9/14

ENTER: 

Chief United States Bankruptcy Judge

WE ASK FOR THIS:


/s/ James R. Carpenter, Jr.
James R. Carpenter, Jr., Esq.

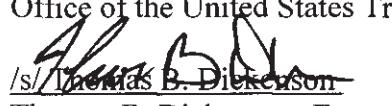
NOTICE OF JUDGMENT OR ORDER

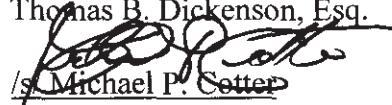
Entered on docket
Sept 10, 2014

(By Mr. Whitehurst with permission from
Mr. Carpenter received by email August 26, 2014)


/s/ Kenneth N. Whitehurst, III
Kenneth N. Whitehurst, III, Esq.
Office of the United States Trustee

(By Mr. Whitehurst with permission from
Mr. Dickenson received by email August 21, 2014)

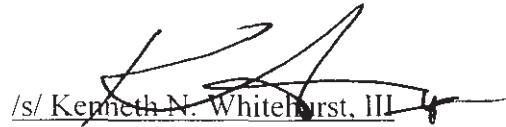

/s/ Thomas B. Dickenson
Thomas B. Dickenson, Esq.

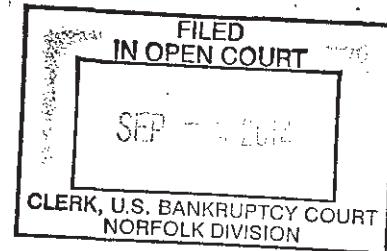

/s/ Michael P. Cotter
Michael P. Cotter,
Chapter 13 Trustee

(By Mr. Whitehurst with permission from
Mr. Cotter received by email August 21, 2014)

CERTIFICATE OF ENDORSEMENT

I hereby certify that, pursuant to the Local Rules of the United States Bankruptcy Court for the Eastern District of Virginia, the foregoing Order has been endorsed by or served upon all necessary parties.


/s/ Kenneth N. Whitehurst, III



Parties to Receive Copies

James R. Carpenter, Jr., Esq. (via email)

Thomas B. Dickenson, Esq. (via email)

Michael P. Cotter, Esq. (via email)

Office of the U.S. Trustee (via email)